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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**

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9 Unknown Parties, et al.,

10 Plaintiffs,

11 v.

12 Kirstjen M Nielsen, et al.,

13 Defendants.
14

No. CV-15-00250-TUC-DCB

ORDER

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16 A Pretrial Conference was held by this Court on **Monday, September 16, 2019.**

17 The Court ordered the following:

18 1. This matter is set for a bench trial on **Monday, January 13, 2020**
19 **at 9:30 a.m** for a 13 day trial. Document and trial witness disclosures shall be completed by September 30, 2019.

20 2. All stipulations between the parties for purposes of trial shall be set forth in
21 writing.

22 3. Motions in Limine:¹ Any motions in limine shall be filed **thirty days before**
23 **trial**. Any Response shall be filed **five days after the filing date of any motion in limine**.
24 No Reply shall be filed. Motions in limine and responses are limited to 5 pages.

25 4. **Seven days before trial**, the parties shall each file “proposed” Findings of Fact
26 and Conclusions of Law; subsequent to trial, the prevailing party shall draft the findings
27 and conclusions of law, pursuant to LRCiv. 52.1. Trial briefs are optional. Any trial briefs
28 shall be filed **seven days before trial** and be limited to 17 pages.

5. Exhibits: **The parties shall confer and attempt to reach agreement regarding the admissibility of exhibits.** A list of the exhibits to be offered at trial shall be **jointly**

¹ Motions should be aimed at: 1) resolving evidentiary issues which might result in a mistrial; 2) saving time at trial, or 3) unnecessary costs due to travel by a challenged witness.

1 submitted to the Court **thirty days before trial** as follows: a) The parties shall list the
2 exhibits that they agree may be admitted at trial. b) As to contested exhibits, Plaintiff shall
3 list additional exhibits, and Defendant shall make a brief statement of the objection.
Defendant shall list additional exhibits, and Plaintiff shall make a brief statement of the
objection.

4 6. The parties shall contact the Courtroom Deputy, Martha Hernandez at (520)
5 205-4221, regarding the Court's requirements for preparation and presentation of exhibits,
6 exhibit lists and witness lists. *The Court requests that counsel utilize the courtroom
7 equipment for presentation of evidence.* Additionally, the parties shall notify the
Courtroom Deputy, if they intend to request "Real Time" and/or daily copy transcripts of
the trial proceedings.

8 7. Deposition Testimony: The transcripts of deposition testimony to be offered *in*
9 *the case in chief* shall be **jointly** submitted to the Court **thirty days before trial** marked as
10 follows: a) The parties shall meet and stipulate to the excerpts of the deposition testimony
11 which may be read into the trial record and shall mark these by highlighter in *green*. b) As
12 to contested portions of any transcripts, the Plaintiff's excerpts shall be highlighted in
13 *yellow*, and the Defendant's excerpts shall be highlighted in *blue*. c) Each party shall
14 provide corresponding memorandum identifying and explaining the basis for any
15 objections. *Counsel are advised to retain a copy of the marked set of transcripts filed with
16 the Court.*

17 8. Interpreters: The parties are responsible for hiring and compensating federally
18 certified interpreters for Spanish, Navajo, and Haitian-Creole. Interpreters for other
19 languages should be professionally qualified interpreters. For a list of certified and
20 qualified interpreters, the parties may contact Michael O'Brian, Chief Deputy Clerk, at
21 michael_o'brian@azd.uscourts.gov, or bonnie_williams@azd.uscourts.gov.

22 9. Pretrial Conference: Motions in limine, any objections to exhibits or
23 deposition testimony, and any other matters which must be resolved for purposes of trial
24 shall be heard by the Court on **Monday, January 6, 2020 at 9:30 a.m.** in Courtroom 6B,
25 Sixth Floor, Evo A. DeConcini United States Courthouse, 405 W. Congress Street, Tucson,
26 Arizona.

27 10. The parties' Joint Proposed Pretrial Order (Doc. 399) is approved, adopted
28 and incorporated herein by reference.

Dated this 16th day of September, 2019.



Honorable David C. Bury
United States District Judge